March 1, 2024

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare and Medicaid Services
200 Independence Avenue, S.W.
Washington, DC 20201

Dear Administrator Brooks-LaSure:

As organizations committed to ensuring access to preventive health care, we write to urge CMS to address a regulatory gap creating barriers to patient access to vaccines.

As you know, vaccines are critical to public health. The cost of vaccine-preventable diseases among adults has been estimated to exceed $8 billion a year in the U.S. Vaccines are safe, effective, evidence-based, and cost-effective ways to reduce medical visits, hospitalizations, disability, and deaths.

In recognition of the importance of vaccines, the Affordable Care Act (ACA) prohibits commercial insurers from charging patients for all FDA-approved vaccines with a recommendation from the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention (CDC).

Unfortunately, this provision of the ACA has not been fully implemented. Nearly fourteen years later, vaccines with different types of recommendations – for example, vaccines that are critical for travel, outbreaks and occupational hazards – are being treated differently by commercial coverage than other vaccines. All barriers to vaccines, including cost barriers, should be eliminated in order to ensure access to all disease-preventing vaccines.

These regulatory restrictions not only create what are often insurmountable financial barriers to patient access to vaccines, but have caused confusion in the marketplace – particularly given the Inflation Reduction Act’s recent elimination of out-of-pocket costs for all CDC-recommended vaccines covered under Medicare Part D and Medicaid.

We urge CMS to act now to clarify current regulations and ensure full implementation of the requirement for commercial coverage of all CDC-recommended vaccines with no patient cost-sharing.

Thank you for your attention to this important matter. If you have any questions, please contact Niki Carelli at niki@daschlegroup.com.

Sincerely,

4 45 C.F.R. §147.130.
American College of Physicians
American College of Obstetricians and Gynecologists
American Council on Education
American Medical Association
American Pharmacists Association
Association of Schools and Programs of Public Health
Association of Veterinary Technician Educators
Bavarian Nordic
Better Together 2030
Biotechnology Innovation Organization (BIO)
Charles County Department of Health
College and University Professional Association for Human Resources
Community Catalyst
Families Fighting Flu
The Forum on Education Abroad
Gerontological Society of America
Healthy Solutions Inc
Illinois Public Health Association
Immunize South Dakota
Immunize.org
Iowa Academy of Family Physicians
NAFSA: Association of International Educators
National Association of County and City Health Officials
National Community Pharmacists Association
National Foundation for Infectious Diseases (NFID)
New York State Department of Health
Novavax

Puerto Rico Department of Health, Immunization Division

USVI Department of Health

Vaccinate Your Family

Valneva USA

VaxCare

Wyoming Department of Health Immunization Unit

Zero Hour Health